UNITED NATIONS

E

Economic and Social Council

Distr.
GENERAL

E/CN.4/2002/NGO/148
18 February 2002

ENGLISH ONLY

COMMISSION ON HUMAN RIGHTS
Fifty-eighth session
Item 11 (a) of the provisional agenda

CIVIL AND POLITICAL RIGHTS, INCLUDING THE QUESTION OF: TORTURE AND DETENTION

Written statement* submitted by the Society for Threatened Peoples, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[19 January 2002]

---

*This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

GE. *0020108 91*

ENG

Torture and Detention in the People's Republic of China

The People's Republic of China is party to several UN human rights instruments and standards all of which adhere to provide the fullest form of protection to detainees, including those held for their political or religious beliefs. China is now even a signatory of the UN Convention on Civil and Political Rights. In November, 2000, Beijing also signed a Memorandum of Understanding with the Office of UN High Commissioner for Human Rights. These steps taken by China to bring its human rights behaviour closer to international norms and standards on human rights and fundamental freedoms are a welcome signs. However, when recognising Beijing for taking these steps, the international community must not ignore the massive human rights violations which are committed by security forces of the People's Republic of China against Tibetans, Uighurs, Mongolians, Christians, political dissidents and Falun Gong believers. Security forces routinely resort to arbitrary arrest, imprisonment, and torture in response to non-violent protest, including displaying Tibetan flags or other symbols of cultural identity, holding peaceful demonstrations, possessing a photograph of the Dalai Lama, forming prisoner lists, putting up posters, and distributing leaflets. Society for Threatened Peoples expresses its deep concern about the massive arrests of Falun Gong activists while peacefully practizing their believe. Numerous testimonies of arrested Falun Gong practioners are documenting the widespread use of torture in detention centres to extract confessions. Furthermore we are very much alarmed about the huge number of deaths of Falun Gong practioners in custody. Society for Threatened Peoples is extremely worried about the use of the Strike Hard Campaign, which officially is intended to combat criminality, to arbitrary arrest and sentence to death hundreds of Muslim Uighurs in the Autonomous Region of Xinjiang.

Each year Tibetan political prisoners die in custody in Tibet. The Chinese authorities have so far failed to launch any investigations into the mysterious deaths of five Tibetan nuns following the May 1998 Drapchi Prison Protests. The situation is same concerning the custodial death of 60-year-old Sholpa Dawa, a prominent Tibetan human rights defender, who died on 19 November 2000, at a hospital outside Drapchi Prison. His body was not even handed over to his family members to perform the last rites. He had been arrested three times. The third time for collecting names of political prisoners and communicating these to the outside world.

Reports of Tibetan political prisoners dying in custody or after release continue to emerge from Tibet. The death of a former political prisoner, Mr. Namgyal Tashi in 2001, father of Ngawang Sangdrol, the longest-serving female Tibetan political prisoner in Tibet, is one example of how former-detainees gradually succumb to prison mistreatment. New evidence also emerged about the death in February 2001 of a Tibetan nun, Ngawang Lochoe, a year before the end of her 10-year sentence in Lhasa's Drapchi prison. Twenty-eight year old Ngawang Lochoe had been suffering from a condition known as acute pancreatitis and had only been hospitalised on the day of her death, according to the official source. Ngawang Lochoe was sentenced in July 1992 to five years in prison for taking part in a peaceful protest in Lhasa. Her sentence was extended by another five years in 1993 after she and 13 other nuns in Drapchi made a tape recording songs dedicated to their family and friends, which was smuggled out of prison.

In August/September 2001, a Tibetan monk in his early twenties from Labrang monastery in north-eastern Tibet died following maltreatment during a short period of detention in Lhasa. The monk, Kelsang Gyatso, was detained with a large group of Tibetans who were attempting to escape into Nepal. Another case involves a Tibetan farmer in his thirties who died in prison following his participation in demonstrations to protest against the arrest of a respected Buddhist teacher. Tsering Wangdrak, who is survived by his wife and two young children,

died last August 2000 in prison while serving a sentence of three years and eight months. Reports said that he was beaten unconscious at least once, suffering blows to his chest and stomach, during his initial period in detention following the demonstrations in Karze (Chinese: Ganzi) in Sichuan Province in October 1999. Tsering Wangdrak was one of several Tibetans sentenced for their participation in one of the largest demonstrations in Tibetan areas since the 1980s. The demonstrations followed the arrests of a senior Buddhist teacher, Sonam Phuntsog, who is reportedly still being held in detention, his assistant Sonam and another monk, former political prisoner Agyal Tsering.

On 9 May, 2000, the Committee Against Torture, in its concluding observation on China's Third Periodic Report, expressed concern "about the continuing allegations of serious incidents of torture, especially involving Tibetans and other national minorities." In this connection, we would like to urge the Chinese authorities to receive the Special Rapporteur on Torture as invited in 1999.

Fourteen Tibetan political prisoners are currently being held in Ngaba prison in Maoxian. Eleven of the 14 are monks. In February 2001, a comprehensive study by Tibet Information Network (TIN) in London listed a total of 197 Tibetan monks and nuns detained in Tibet. In April 2000, the director of the Tibet Autonomous Region (TAR) Prison Administration Bureau told a visiting foreign delegation that there were over 100 monks and nuns imprisoned in the TAR's three prisons, of whom 90 percent were incarcerated for "endangering state security." There are continued reports of imprisonment and abuse or torture of monks and nuns accused of political activism. Prisoners who resisted political re-education imposed by prison authorities, particularly demands to denounce the Dalai Lama and accept Gyaltsen Norbu, the boy recognized by the Government as the Panchen Lama, were beaten. The TIN reported severe beatings of several nuns serving long prison sentences, including Ngawang Choezom and Phuntsog Nyidrol, imprisoned in 1989 for singing pro-independence songs. Government officials stated that because Phuntsog Nyidrol has shown repentance, her sentence has been reduced by one year. Nun Ngawang Sangdrol also was beaten severely on multiple occasions and held in solitary confinement for an extended period. Her prison sentence was extended for a third time in 1998, for taking part in demonstrations in prison, to a total of 21 years. Ngawang Sangdrol's health continues to be of concern, despite government officials' assertions that her health is fine.

There are also growing concerns on the health of Tibetan political prisoners like Tanak Jigme Sangpo and Ngawang Choephel on whose behalf thematic special rapporteurs and working groups of the Commission on Human Rights have intervened to the Chinese authorities. We appeal to the Chinese authorities to once again allow Mrs. Sonam Dekyi who lives in India to visit her imprisoned son Ngawang Choephel. Ngawang Choephel was secretly sentenced to 18 years on the charges of "espionage.

In the light of the grave human rights situation in Tibet, we urge the Commission on Human Rights to intervene urgently on the human rights situation in Tibet. In order to preserve its mandate, the Commission on Human Rights, is therefore urged to adopt a resolution on Tibet that calls upon the People's Republic of China to refrain from policies which threaten the distinct cultural, religious and national identity of Tibetans.

Furthermore we are calling upon the Commission on Human Rights to urge the People's Republic of China to take immediate steps to prevent torture in detention centres and prisons and to stop arbitrary arrests of Uighurs, Mongolians, political dissidents, Christians and Falun Gong practioners.